

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**MEMPHIS A. PHILLIP RANDOLPH
INSTITUTE, THE EQUITY ALLIANCE,
FREE HEARTS, THE MEMPHIS AND
WEST TENNESSEE AFL-CIO
CENTRAL LABOR COUNCIL, THE
TENNESSEE STATE CONFERENCE
OF THE NAACP, SEKOU
FRANKLIN, and KENDRA LEE,**

Plaintiffs,

v.

**TRE HARGETT, in his official capacity
as Secretary of State of the State of
Tennessee, MARK GOINS, in his
Official capacity as Coordinator of
Elections for the State of Tennessee,
and AMY WEIRICH, in her official
capacity as the District Attorney General
for Shelby County, Tennessee,**

Defendants.

**Case No. 3:20-cv-00374
Judge Richardson
Magistrate Judge Frensey**

DEFENDANTS' MOTION TO STAY DISCOVERY

The Attorney General, on behalf of the Defendants, moves this Court to stay discovery pending resolution of the contemporaneously-filed Motion to Dismiss.

Defendants' Motion to Dismiss asserts that none of the Plaintiffs have standing to assert their constitutional claims because the challenged statutes do not apply to them, because they have suffered no injury-in-fact that is causally connected to the challenged statutes or any other state action, and/or because they cannot satisfy the minimum requirements for organizational or associational standing. As the Motion to Dismiss addresses the threshold issue of this Court's

subject matter jurisdiction, conducting discovery on the merits of the asserted claims would needlessly increase the cost of this litigation for no purpose, especially when discovery would “have no relevance to the dispositive legal issues in question.” *See Hahn v. Star Bank*, 190 F.3d 708, 719 (6th Cir. 1999).

For these reasons, Defendants respectfully request that this Court stay discovery in this matter pending resolution of the Motion to Dismiss pursuant to Fed. R. Civ. P. 26(c) and this Court’s inherent power.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing documents have been forwarded electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to the parties named below. Parties may access this filing through the Court's electronic filing system.

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